U.S. Department of Justice

Federal Bureau of Investigation
Washington, D.C. 20535

November 29, 2017

MR. JOHN GREENEWALD JR.
SUITE 1203
27305 WEST LIVE OAK ROAD
CASTAIC, CA 91384

FOIPA Request No.: 1389973-000
Subject: CIGIE Integrity Committee
Investigation Reports

Dear Mr. Greenewald:

Records responsive to your request were previously processed under the provisions of the Freedom of Information Act. Enclosed is one CD containing 39 pages of previously processed documents and a copy of the Explanation of Exemptions. This release is being provided to you at no charge.

Please be advised that additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your information needs for this request, you may request an additional search for records. Submit your request by mail or fax to – Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

For your information, Congress excluded three discrete categories of law enforcement and national security records from the requirements of the Freedom of Information Act (FOIA). See 5 U.S. C. § 552(c) (2006 & Supp. IV (2010). This response is limited to those records subject to the requirements of the FOIA. This is a standard notification that is given to all our requesters and should not be taken as an indication that excluded records do, or do not, exist.

For questions regarding our determinations, visit the www.fbi.gov/foia website under "Contact Us." The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Suite 11050, 1425 New York Avenue, NW, Washington, D.C. 20530-0001, or you may submit an appeal through OIP's FOIAonline portal by creating an account on the following web site: https://foiaonline.regulations.gov/foia/action/public/home. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked "Freedom of Information Act Appeal." Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

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Sincerely,

David M. Hardy
Section Chief,
Record/Information
Dissemination Section
Records Management Division

Enclosure(s)

EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service he release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.

Central Intelligence Agency

Washington, D.C. 20505

IC #730

Inspector General
703-874-2555

23 October 2012

Mr. Kevin L. Perkins
Chairman, Integrity Committee
Council of the Inspectors General
on Integrity and Efficiency
935 Pennsylvania Avenue, N.W.
Room 3973
Washington, D.C. 20535-0001

Dear Mr. Perkins:

In accordance with 5 U.S.C. Appendix 3, §11(d)(4), I am referring to the Integrity Committee allegations made against myself. These allegations are made as I continue to institute policy and management reforms within the Central Intelligence Agency (CIA) Office of Inspector General (OIG), which are designed to increase the quality and professionalism of the office.

I have been informed that some members of the OIG investigations staff have alleged to the CIA Ombudsman that I have engaged in "cronyism, abuse of my office, misuse of resources, and waste of funds." The specific matters reported to me are:

- I allegedly improperly influenced a Congressionally-mandated study of my office conducted by the Inspector General for the Office of Personnel Management,

- I allegedly engaged in cronyism in the hiring of Mr. Christopher Sharpley as Deputy Inspector General, the hiring of [redacted] as an Investigations Staff division chief, and the [redacted]

b3 per CIA

Mr. Kevin L. Perkins

- That I, or Mr. Sharpley acting on my behalf, allegedly improperly removed certain individuals from their positions and assigned them jobs not commensurate with their grade and experience.

I will note that I have known Deputy Inspector General Sharpley since 1981 and that he is a personal friend. However, the friendship was not the basis for his hiring. The panel selected Mr. Sharpley as best qualified, based in part on his experience as a Deputy Inspector General at the Federal Housing Finance Authority, the Special Inspector General for the Troubled Asset Relief Program, and in the Office of Inspector General for the Department of Energy.

While I do not believe there are any factual bases for the allegations, I am requesting that the Committee independently review them. Some of the complainants also allege age discrimination. These complaints have been referred by the CIA Ombudsman to the CIA's Office of Equal Employment Opportunity (OEEO).

The Ombudsman has provided my counsel, [redacted] b3 per CIA
with copies of two of the unsigned complaints. [redacted] also has a copy of the memorandum regarding the selection of Mr. Sharpley. The Ombudsman, the Chief of OEEO, and the CIA Human Resources Office may have other relevant information. [redacted] can provide you with any necessary contact information.

If you need any additional information or have any questions, please contact [redacted]

Sincerely,

[redacted] b3 per CIA b6

David B. Buckley
Inspector General

cc: Director, Central Intelligence Agency

Memorandum for the Record
(Anonymous Complaint #1)

D

12 October 2012

MEMORANDUM FOR THE RECORD

This memorandum for the record outlines specific instances and actions undertaken during the current tenure of the OIG Inspector General (IG) Dave Buckley beginning September 2010 to the present that I believe should be brought to the attention of Director Petraeus. In my opinion, these actions not only fall into the category of discrimination and hostile work environment, they reveal a pattern of unethical behavior and abuse of position that impedes the ability of this office to fulfill its statutory obligations to the Agency at large.

In a reorganization of the INV Staff announced Wednesday, 3 October 2012, I was placed on an unnamed team that has inadequate substantive work commensurate with my grade and experience. The standing Deputy AIGI [redacted] the b6
Chief, Integrity Division [redacted] and most of the working-level officers were b7C
blindsided last Wednesday in that neither they nor we were given a heads-up or apprised of the reasoning for the abrupt job description and assignment changes.

This reorganization is one of many actions undertaken over the last two years that constitute what I perceive as an ongoing effort by the IG to intimidate some of the long-serving officers on the INV Staff. I am but one of several officers in INV being marginalized, and the only message to be taken from this latest action is that the IG intends to continue making the atmosphere intolerable so that I feel forced to leave my job.

Notably, at least five other senior officers also were relieved of job responsibilities that we were hired to do. To the best of my knowledge, none of us has ever been advised of deficiencies in our work; rather we have received EPAs and other professional recognition throughout our investigative careers.

While the IG has great latitude to effect certain changes in staff make up and office policy, I believe he is targeting me to leave. In a staff meeting on Thursday, 4
October the Acting Assistant IG for Investigations (Acting AIGI) [redacted] b3 per CIA
stated that hiring new officers is continuing in anticipation of the departure of current officers. This statement sounded to me like a warning given that this statement was made at the staff meeting one day after being blindsided by the organizational changes.

To date, no one on my newly established team has been given information to understand why we were removed from groups that are responsible for conducting substantive investigations. In the staff meeting, the Acting AIGI listed some nebulous duties and tasks that the new group would undertake, but they are primarily administrative in nature and have little to do with investigating cases involving fraud, waste, and abuse.

Generally, remarks directed to the staff by the IG usually include a note of appreciation for the work we do, but the actions taken since his arrival in Sep 2010 demonstrate the opposite, and they have an element of cruelty and malice that dishonors the position he occupies. Improvements to practices and policy, when clearly articulated and explained, could have been achieved in a transparent, above board, and dignified manner. Instead, the IG has told 7th floor principals and Congress he "studied" this office and reached a determination that the current staff lacks the necessary skills, training, and authorities to fulfill the OIG mission.

Absent information to support his claims, in a May 2011 letter to Congress, the IG stated that the preponderance of investigations in this office appeared to include violations of federal criminal law. Those officers who have worked here for years and years can attest that there are some cases involving potential violations of criminal law but very few have resulted in prosecution, and, the IG's assertions are misrepresentations of the body of our work. However, contrary to the IG's representation to Congress, in the limited criminal cases involving Agency officers, INV has established an excellent relationship with the Department of Justice (DoJ) to effectively conclude cases. In fact, prosecutors have commended the work of INV officers with whom they have worked.

- In May 2011, INV officers requested a copy of the IG's letter to Congress. No response was forthcoming on the letter or the IG's study. The letter was posted to the OIG internal website a full year later, following a June 2012 hearing during which the IG appeared before the SSCI.

- As the IG has continued to lobby to obtain law enforcement authority, the staff has repeatedly asked for clarification to understand the basis upon which he determined that the OIG mission cannot be fulfilled without this additional authority. Aside from stating the staff is not equipped, the IG has not articulated any persuasive argument that has merit; rather he has repeatedly told the staff that other IG's have this authority and he wants it.

Furthermore, the current IG is determined to have CIA/OIG conform to the standards of regulatory agency OIGs and that includes obtaining law enforcement authority.

Congress did not act on the IG's law enforcement proposals but rather passed legislation calling for a review of the current OIG personnel authorities. The results of the OPM study were posted to the OIG website in early 2012 and further contributed to the hostile atmosphere. The OPM study contained anecdotal information provided by only a few officers. Notably, it also contained numerous factual inaccuracies that the IG has allowed to stand as truthful. Claiming he had no opportunity to comment on the report and had no hand in who was interviewed by OPM, the IG managed to further the perception and convey his own assessment that the current staff as it stands is not equipped to fulfill the OIG mission.

While the these events have occurred over a period of two years, the hostility toward the current staff began with his arrival, and got into full swing when the IG soon advised that he intended to immediately and arbitrarily down-grade OIG positions. This initiative failed. The IG had attempted to down grade the GS-15s en masse by using the PRA process. Subsequently, in an early 2011 INV staff meeting, the IG announced that down grades were not imminent, and that it would take him a little longer than he planned to implement the changes and improvements he wished to make.

Below is a summary of the actions undertaken to date that have contributed to the hostile atmosphere in INV, and which are indirectly and directly curtailing my ability and contributions in advancing the OIG mission.

- Efforts by the IG to arbitrarily downgrade positions in INV. The majority of the officers in this group are over the age of 40, and this is discrimination. With the failure of this initiative, the IG has generally displayed frustration and a level of contempt at the few staff meetings he has joined when officers have attempted to obtain more information to better understand where he is taking the staff and why.

- Abruptly relieving certain managers and investigators of substantive investigative case work.

- Changes in policy and practices are presented as edicts. Simultaneously, the IG seemingly asks for input and says he has an open door, but it is clear he is not open to listening. (Questions submitted to the IG via MAG reps in May 2011 have never been fully addressed with the staff. The IG said he objected to the tone of the officers' written questions.)

- No basis for the IG's proposal to obtain law enforcement authorities other than denigrating the current staff so that it appears to outsiders (7th Floor and Congress) that we are unskilled, untrained, and inept at doing our job. The body of work produced by this office speaks for itself. It has consistently withstood the scrutiny of both internal (Personnel Evaluation Boards) and external (Congress) customers. I would ask anyone who seeks an objective, independent assessment of the work produced here to sit down with U.S. Attorney [redacted] In response to a query from the IG, [redacted] praised the professionalism, thoroughness, and quality he found in examining numerous investigations completed by officers in INV. b6 b7C

- Metrics with an emphasis on cases concluding in prosecutions and recovery of funds. Evidence of the direction the IG appears to be taking this office is the criminal case cited in the most recent issue of "What's News" (October 2012). I was told that at the commencement of this case, [redacted] aggressively sought prosecution of this case. Subsequently, when the U.S. District Court agreed to prosecute the case, the lead OIG investigator was feted with a tee-shirt at an INV staff meeting to celebrate the officer's "first collar." Printed on the shirt in a foreign language was the equivalent of "I came, I saw, I got a conviction (or collar)." There is now obvious glee when someone's life is ruined. b3 per CIA

- Refusal by the IG to acknowledge that INV has long-established protocols and a working policy manual. This a-historical posture remains as his position, despite the findings of a mock peer review conducted in late 2011. That review found that the INV manual generally was in compliance with standards set by the Council of Inspectors General on Integrity and Efficiency (CIGIE). Subsequently, upon his August 2012 arrival and without reviewing the current INV manual, the new Deputy IG Chris Sharpley, an external hire, declared that the Department of Energy (DoE) investigations manual was going to be the new prototype for the INV manual (ignoring the fact that DoE is a regulatory agency and we are not).

Again, as recently as September 2012, the Deputy IG and newly-named Acting Deputy AIGI [redacted] both claimed the INV manual is out of compliance. However, when queried for specifics so that immediate steps could be taken to self correct deficiencies, the Deputy AIGI could not identify a single practice or policy that required immediate correction. When one investigator dared to raise the fact that certain elements in the existing manual where INV fell short primarily related to law enforcement authority (not yet granted to the CIA/OIG), the new Deputy AIGI shut down that officer's comment. b3 per CIA

- The hiring and detailee process for selecting managers in INV has been used for appearance sake only. Three of three new managers brought into OIG are personal friends and/or former colleagues of the IG; all three are external hires. Two of these individuals had previously served on the external advisory board stood up by the IG upon his arrival in September 2010. Acknowledging the existence, or at least the appearance, of a conflict of interest, the Deputy IG joined our 4 October INV staff meeting and emphasized several times that the newly-appointed Acting AIGI and Acting Deputy AIGI were neither his personal friends nor were they former work colleagues. He clarified that he had only known of them by their reputations; the Deputy IG did not raise the fact that he and the Deputy AIGI are personal friends of the IG. Realizing this is hearsay, I believe the circumstances surrounding the compensation and bonus package(s) these managers may have received could be inappropriate at the least.

The reorganization announced last week is the latest in a series of intimidating and bullying tactics employed to move out current INV staff members and make room for new hires. Management and oversight of all the substantive case work has been delegated to the new "acting" Deputy AIGI who was detailed to the OIG in March 2012. A number of officers on the existing staff, including me, have essentially been marginalized so that we will leave and the IG can pursue an agenda of appearing to address shortcomings here that primarily exist because he has declared it so. By these actions, the IG has successfully achieved his goal of effectively removing four investigators and two senior managers from their positions.

By altering the conditions of my job description and, consequently, my employment, I believe the conduct of the IG and Deputy IG is offensive and an abuse of the trust placed in them by virtue of the positions they hold. In summary,

this is a continuing trend of the hostile work environment resulting from the IG's actions.

cc: OEEO
Agency Ombudsman

Memorandum for the Record
(Anonymous Complaint #2)

C

October 2012

To: Whom it may concern

Subject: Ongoing mobbing, career assassinations, misuse of position, abuse of resources and more - all charismatically executed by the CIA, Office of the Inspector General

Background: In the fall of 2010, David B. Buckley, a former Air Force Sergeant turned politician, became the Inspector General (IG). Until that point, CIA Senior Intelligence Services (SIS) officer and former Deputy IG, [redacted] served as the acting IG since early 2009, when long time CIA officer and IG, John L. Helgerson, PhD, retired. b3 per CIA

Agenda: Upon arrival, Buckley's agenda included a review of the OIG investigative (INV) operation and function. This review was conducted by an external advisory board comprised of friends of Buckley under preconceived notions that the INV lacked sufficient resources, principally qualified personnel to do the job. This mockery study was then used to justify a 12 May 2011 letter to Dianne Feinstein, Chairman, Select Committee on Intelligence, United States Senate, advising that for the OIG to "effectively carry out the responsibilities to investigate evidence and allegations of criminal conduct against agency officers… the OIG requires new statutory authorities and skills of personnel trained and designated as federal law enforcement officers…" In his letter, Buckley also stated: "in order to recruit, train, and maintain a cadre of experienced professional criminal investigators, it is necessary to designate certain positions as primary and secondary law enforcement officers… GS-05-SIS." Furthermore, Buckley stated that it was "dangerous" to conduct such criminal investigations without law enforcement authority and without the properly trained criminal investigators.

In addition, following congressional legislation calling for a review of the CIA OIG's authorities, Buckley orchestrated a study by the Office of Personnel Management (OPM) that highlighted the "CIA OIG investigators lack basic training in conducting criminal investigations." The study also noted that,

the "average age of CIA OIG investigators is 51, versus 41 in the rest of the OIG community." In sum, based on anecdotal input from a few selected officers, the OPM study concluded that the current CIA/OIG/INV staff is not qualified to conduct criminal investigations.

The OPM report is not factually accurate. It misrepresents the qualifications, skills, and expertise of the investigations staff and the substantive work conducted by the staff; and it does not include the sources of their findings beyond the few interviews cited. Anecdotal data includes interviews of two or more selected OIG investigators, who aspire to carry loaded weapons and handcuffs on the job. These same investigators claim that their lives were endangered at least on one occasion when these investigators, without the proper jurisdiction and/or proper coordination with management and the appropriate local authorities, conducted investigative activities that were outside the boundary of long established OIG/INV policy and protocol.

The OIG/INV consists of a mixture of very competent professionals, who are highly trained and experienced criminal investigators with backgrounds that range from FBI, Secret Service, Air Force OSI, Army Criminal Investigations/CID (and more) and of senior Agency officers with deep rooted institutional knowledge and expertise that range from financial officers to contracting, clandestine, intelligence, and more. Working as one team, this highly professional intelligent staff and skilled criminal investigators has conducted some of the most complex and highly sensitive criminal investigations in the entire intelligence community. Their findings are unassailable. Many of these investigations are well known by the CIA Director and have withstood the scrutiny of other high ranking officials, to include congressional oversight committee.

In direct contrast to the assertions in the OIG's May 2011 letter to Senator Feinstein and in the OPM study, DOJ special prosecutor [redacted] recently provided feedback to IG Buckley b6 b7C and DIG Sharpley on the body of investigative cases completed by this Office involving the Agency's detention and interrogation program. When queried by the IG on areas for improvement with respect to the work completed by INV staff, Durham had only

positive remarks about what he found in the work effort and substantive reports produced by INV officers. In fact, we were advised in a recent INV staff meeting that [redacted] said he found the work on these very complex cases to be of the highest quality, thorough, and professional. b6 b7C

Cases/investigations of wrongdoing involving Agency programs and operations are highly sophisticated and require highly educated, highly intelligent, highly skilled and astute investigators. As the May 2011 letter to Senator Feinstein points out, Buckley believes that he needs junior level law enforcement/gun carrying investigators to accomplish the mission. For him this is a political dimension not about the mission, but a conduit to put a stamp on something during his brief journey at the CIA.

Buckley's power agenda has greatly expanded after he successfully ushered Deputy IG [redacted] out the door. He then filled that position with one of his cronies and a member of the external advisory board, Christopher Sharpley, who is also an Air Force reservist and federal employee retired. b3 per CIA

In September 2012, a short span after Sharpley's arrival, Buckley announced that [redacted] Assistant Inspector General for Investigations (AIGI) had been called to serve on an Agency's newly created task force. This announcement was made under the pretense that the task force desperately needed [redacted] expertise and that [redacted] would be leaving his post in OIG to serve in a more critical position; we later learned was by far a stretch of the truth. Upon making the announcement, Buckley said that he now faced the challenge of having to choose an Acting AIGI. b6 b7C

More Announcements: On September 24, Sharpley announced that [redacted] (another long time friend of Buckley) was designated as the Acting AIGI. Sharply also announced that [redacted] (another long time friend) had been selected to serve as "second deputy" AIGI. Because OIG/INV already had an incumbent Deputy (DAIGI) since 2004, Sharpley stated that [redacted] "will join DAIGI [redacted] in addressing ongoing critical investigative mission requirements." b3 per CIA b6 b7C

[redacted] also served as a member of Buckley's external advisory board (mentioned earlier) concluding that this OIG lacks the b3 per CIA

resources and has no qualified investigative staff to accomplish the job and fulfill the OIG mission. [redacted] was subsequently [redacted] in March 2012 as an executive staff advisor from [redacted] Office of Inspector General. Since his arrival, [redacted] has occupied an office space in INV, while his official capacity in OIG remained elusive, except for serving as note taker during INV staff meetings. And in a recent INV staff meeting, Deputy IG Sharpley noted that [redacted] has responsibilities outside OIG/INV but oddly provided no description regarding those duties. b3 per CIA

On October 4, 2012, Sharpley and [redacted] stated that INV was undergoing organizational changes. They announced the cessation of the Integrity Division effective immediately and the creation of the leak investigative unit comprised of approximately four senior staff members. These four staff members are mostly senior and older investigative personnel, including the senior SIS and former chief of the Integrity Division. [redacted], the incumbent DAIGI was designated as head of the leak investigations team. There is one problem: this OIG has no ongoing leak investigations. So, these senior special agents and managers hardly have any meaningful reasons to show up to work, except for preserving their spaces until they are graciously ushered out the door by Buckley and/or Sharpley. b3 per CIA b6 b7C

In addition, Sharpley and [redacted] specified that [redacted] Acting Deputy, would oversee the entire investigative staff and would be responsible for all INV recruitment efforts (previously conducted by the Integrity Division Chief, now fired in place). Sharpley stated these changes began over a year ago (unknown to the staff) "but have accelerated with my arrival." He added that "these changes are only the beginning." Sharpley and [redacted] noted that these changes are necessary to meet the standards because we will be "peer reviewed" and as of now, "we are not in compliance." The INV staff however, has never been informed of any particulars, or what exactly is or is not in compliance. b3 per CIA

Since his arrival, Buckley has added several new positions to the existing management layers under him and has created a system of absolute autocracy. These layers, in addition to the various career assassinations that he devised in lieu of firing the existing management due to certain legal restrictions, have

contributed to inefficiency and lack of productivity at taxpayers' expenses. Buckley has also added several new investigator positions that are highly questionable. The majority of these investigators have nothing to do or cases to investigate. They report to work to warm up their chairs and keep their spaces in INV. Acting AIGI [redacted] told the staff that new staff would continue to be hired in anticipation of some current staff retiring in the future. b3 per CIA

The OIG/INV currently has two managers that have been relieved of their duties and have virtually no place or substantive work in INV. The new table of organization says it all. These managers are being targeted in a manner to effectively force them to resign or retire so that Buckley can hire more friends in their places. The morale is extremely low in INV and these recent announcements have further aggravated an already hostile work environment.

During his meeting with the INV staff on October 4, 2012, Sharpley told the staff: "make sure your performance is there and your professionalism is there - I will do everything I can to help you find a position in the Agency - we will be peer reviewed - we need to meet the standards - if you don't want to be on board see me - I will use my contacts to help you find a job."

In brief, this Inspector General fosters an environment that is extremely hostile. He has successfully entrenched himself with cronies in a self asserted centralized regulatory body that may easily qualify as the highest authoritarian hierarchy within CIA. This is the result of misuse of position, abuse of resources, including unnecessary use of IG subpoenas, corruption, waste of taxpayers' funds, and more. These are the very elements that an IG is expected to prevent and protect the Agency against.

An in depth/internal investigation should be launched immediately to unmask the corruption, stop the mobbing, and restore an OIG that the officers of CIA expect and deserve.

Sincerely

Memorandum Regarding the Selection of Mr. Sharpley

Memorandum For The Record

From: David B. Buckley
Inspector General,
Central Intelligence Agency

Subject: Deputy Inspector General Candidate Selection

Position Number: AA079

Former Incumbent: [redacted] b3 per CIA

Interview Advisory Panel: Chairperson- David B. Buckley, OIG, [redacted] C/HR (Female Representative), [redacted] D/GC, [redacted] DD/NCS (Minority Representative), [redacted] (sp).

HR Representative: [redacted] DIR/HR

1. This memorandum is intended to serve as formal documentation of the candidate selection process for the Deputy Inspector General (DIG) position for the Central Intelligence Agency (CIA).

2. <u>**Background**</u>: The DIG position was advertised through the CIA's internal agency vacancy system and was also posted on the external IG vacancy website. The OIG's advertisement yielded broad interest and ultimately, a competitive pool of contenders. Consequently, interest was expressed by a total of fourteen applicants (10 external and 4 agency internals). As a preliminary measure each applicant's package was assessed against the required qualifications as outlined in the vacancy notice. The most qualified applicants, a total of six, were recommended for the second phase of the competitive selection process, which included an interview with the IG and his Selection Advisory Panel.

3. The interview process was limited to thirty minutes. Each candidate was asked to respond to a standard set of questions. Based on the interview and a review of the applicant's qualifications the panel concluded that two of the applicants were the most qualified. The panel also provided the following commentary to substantiate their decisions:

➢ Christopher Sharpley - Mr. Sharpley possesses thirty years of cumulative public service, which includes twenty years of active-duty military in the United

States Air Force and ten years of Government sector. While serving in the military, Mr. Sharpley served as a counterintelligence officer and commander. He has also served in command IG and oversight positions with the Federal Housing Finance Administration (2010 - present), US Treasury (2003-2009), Department of Energy (2001 - 2002). Mr. Sharpley is also a Presidential Rank Award Recipient (Meritorious Category 2010 and 2002). The panel recognized Mr. Sharpley's substantive experience with leading and instituting large-scale oversight initiatives to augment organizational operations. They also noted his consistent track record of sustained superior performance specifically while managing issues of extreme complexity and sensitivity. The IG endorsed the panel's recommendations and also recognized Mr. Sharpley as being the most qualified candidate.

OIG Selection: Christopher Sharpley

➢ [redacted]

b3 per CIA
b6

➢ [redacted]

b3 per CIA
b6

[redacted]

David B. Buckley
Inspector General
Central Intelligence Agency

November 1, 2012

Chairman
CIGIE Integrity Committee
935 Pennsylvania Ave., NW
Room 3973
Washington, DC 20535-0001

Dear Mr. Chairman:

It is my responsibility to bring the following two examples of possible misconduct at the CIA OIG to your attention. I request your assessment, investigation, and action, as appropriate.

First issue - The new Deputy IG (D/IG) at CIA is Chris Sharpley. He was selected as the D/IG at CIA working for his friend, and fellow former AFOSI agent, the IG, David Buckley. Following his selection at CIA, Mr. Sharpley retired from another OIG. Reportedly, Mr. Sharpley received a $10,000 recruitment bonus as an inducement to work at CIA. [redacted]

b3 per CIA

Like others, I question whether the applicability of the circumstances of Mr. Sharpley's bonus is consistent with the terms and conditions of the [redacted] CIA administrative guidance. Due to the extended friendship of Mr. Buckley and Mr. Sharpley, should Mr. Buckley be conflicted from seeking or facilitating a bonus for Mr. Sharpley? It is not apparent what was known by those who had a role in proposing, assessing or approving the bonus. Did they know that Mr. Sharpley intended to retire from another Agency and that a bond of friendship existed with M. Buckley? Was there an assertion that Mr. Sharpley required this or any inducement to come to CIA as the D/IG? I encourage you to review the circumstances of this alleged bonus and determine whether there was a false statement made by Messer's Buckley or Sharpley in order to justify it.

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[redacted]

From: [redacted]
Sent: Monday, November 05, 2012 7:31 PM
To: [redacted]
Subject: FW: Referral of Anonymous Complaint Re. IG, CIA
Attachments: [Untitled].pdf

Hi... I think this e-mail goes to you.

-----Original Message-----
From: [redacted]
Sent: Monday, November 05, 2012 12:22 PM
To: [redacted]
Subject: Referral of Anonymous Complaint Re. IG, CIA

[redacted]

Per our phone conversation, the ICIG is forwarding the attached anonymous complaint against the Inspector General, CIA for action as the CIGIE deems appropriate. Due to our close working relationship with the CIA Office of the Inspector General, the Office of the ICIG must recuse itself from this matter.

It is my understanding that Mr. Buckley also received a copy of this complaint. If I can be of any assistance, please contact me at the number below.

Respectfully,

[redacted]
Senior Investigator
Office of the Intelligence Community
Inspector General
[redacted]

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CO-12-016

October 2012

Dear Sir/Madam:

I am reluctantly submitting this anonymous five page document in the hopes that your office will review the following issues that are plaguing the Office of Inspector General (OIG), Central Intelligence Agency (CIA). I am [redacted] and I am deeply concerned about the policy and personnel changes being made by Mr. David Buckley, the Inspector General. I have not revealed any classified information in this complaint and all names are of overt officers.

While my concerns may or may raise legal issues, taken in its entirety, Buckley's tenure at the CIA has created an atmosphere of mistrust, confusion and anger amongst the Investigators. As a result of recent directed managerial changes, these issues are now hindering the successful operation of our mission and are affecting the quality of our work. As a result, the CIA employees and the public are not receiving the best possible results. Therefore, I would like to raise the allegations of misuse of position, favoritism, abuse of power, improper personnel actions, creating a hostile work environment and wasting financial resources against Buckley.

I was in this office prior to his arrival and now, due to Buckley's managerial style, I am now contemplating leaving the office and career that I love. I never imagined having to report a manager for misconduct, as I always try to address issues directly and face-to-face. That attempt has been made in this office, but has failed. Therefore, I have no other choice than to report it.

The CIA is treated different that other Federal Agencies – for a good reason. Our mission is unlike any other Agency.

Since his first day in office, Buckley has harped on obtaining "law enforcement authorities" for Investigators. This is not supported by all Investigators – many of us came to this office specifically because it was not a "cop shop."

Buckley initiated an OPM IG study on the issue, which in June 2012, found in his favor, but that was based the supporting information was supplied by Buckley. The OPM investigators did not speak to any Investigator and the "criminal" case examples presented to OPM were all by the same Investigator, who has a reputation of being a cowboy and placing himself in unnecessarily dangerous positions. You will note that the report's footnotes do not include any reference to speaking or meeting with investigators, only Buckley. Except footnotes like 181, which refer to an "internal Email" – which is from the one cowboy investigator mentioned above.

Many investigators in this office are concerned that Buckley will hire criminal investigators that will become too aggressive in conducting their investigations and will bog down on-going and future CIA missions in needless IG bureaucracy and

investigations. He has already begun hiring more investigators then is required for our mission – a waste of funds.

One recently-hired investigator came from [redacted]. She has yet to receive a single case and is now working the team revising our investigations manual. We have three more recently hired investigators coming into to Investigations. There simply is not enough work (or space) for all of us – another reason why current investigators have such low morale. b6 b7C

Buckley is not a career CIA employee, having arrived at the Agency approximately three years ago. Within that time, he has replaced our entire chain of command, who were all Senior Intelligence Service (SIS) Officers including [redacted] a Division Chief, [redacted] a Deputy Assistant Inspector General for Investigations (DAIGI), [redacted] and [redacted], both Assistant Inspector General for Investigations (AIGI), and [redacted] the Deputy Inspector General (DIG).

All these individuals were career CIA SIS officers and well respected within OIG and the Agency. While I certainly recognize the ability for an IG to be able to choose his or her own staff, it has become clear to us that Buckley has an agenda to remove career CIA officers and replace them with personal friends from outside the CIA. As a result, the OIG is losing a deep well of institutional knowledge and "inside" experience that has served the CIA extremely well over the years. It is hard to fathom that four levels between Buckley and his investigators have been removed and replaced within three years.

Of course, there is also the personal side of the matter – five dedicated, motivated and intelligent CIA SIS officers have been "involuntarily" removed, something that I would imagine has not occurred previously in their careers. Could all of these managers have been poor leaders or investigators which required such a drastic personnel action? Their careers and personal lives are permanently scarred.

Of course Buckley will claim that these five SIS officers were not performing up to standard, which is ridiculous. A review of each officer's career and work history will certainly show their value to the CIA and the OIG.

Buckley will also claim that the officers were not fired or removed, but found other opportunities. That is not true and it is simply act of "covering the tracks" by a very astute and political savvy Presidential Appointee.

Early in his tenure, Buckley initiated an External Advisory Board (EAB) to review OIG's operations. The four members of the EAB were friends of Buckley. Two members of the EAB, Chris Sharpley and [redacted] now work at OIG. This certainly speaks of favoritism and a conflict of interest. b3 per CIA

About six weeks ago, Buckley fired the AIGI [redacted] who had been in the position for about a year. Though it was announced that the officer would be heading to another "critical" position within the Agency, it was understood that he was not leaving voluntarily. In fact, [redacted] It now appears that

critical job fell through and he remains in his office today – though not working on IG matters, because an "acting" AIGI is in place.

Buckley replaced the AIGI with [redacted] a recent outside hire that Buckley made about 18 months ago [redacted] was serving as a Division Chief, but was elevated above the DAIGI [redacted] and [redacted] to become the "acting" AIGI. b3 per CIA

Sharpley is the now the DIG, replacing [redacted] a long serving and well respected DIG.

[redacted] was initially the Executive Advisor to the Investigations Program. He was recently named the DAIGI for Investigations, overseeing all on-going investigations, though he has been at the Agency only since March 2012. This is a newly created position, which was not advertised. It is well speculated that [redacted]

Buckley recently reorganized OIG Investigations from four divisions to three. While [redacted] was moved up to AIGI, a Senior Investigator is his acting replacement as Division Chief.

[redacted] who was a Division Chief, was removed and now holds an ambiguous investigative role in the Support Division with no management responsibilities.

The third Division Chief remained in place, but had previously announced his retirement in May 2013.

[redacted] was the long-serving DAIGI, was "down graded" to the equivalent of Davison Chief, of a support division. For some reason, she was not selected to become the "acting" AIGI, even though she has been the DAIGI for many years.

Therefore, in the Investigation Division today, there are three senior SIS officers [redacted] who must face the embarrassment of having been downgraded and/or fired, but remain in place. This is totally unprofessional and shows no respect for their rank, careers, their excellent past performance and OIG. It is my understanding that [redacted] did not know of their removal until [redacted] told them during a management meeting. Buckley did not speak to them privately or before others found out.

As a result of these changes, the Investigations Staff is confused and upset, which is greatly affecting our work environment. Here is what many Investigators predict will eventually occur:

- [redacted] becomes the AIGI
- [redacted]
- [redacted] will retire in embarrassment, frustration and disgust
- Buckley will have replaced the entire Investigations staff with friends and external candidates

Finally, Buckley is ordering the replacement of Investigations case management system. The current system was put in place three years ago after much work and expense – including purchasing many "stand alone" terminals for the staff. Special

Agent [redacted] had the task of making changes to the system and worked with management and the contractor to make expensive upgrades. b3 per CIA

When [redacted] left the position as office POC, because it was taking up too much time, the case management system fell under Special Agent [redacted] who has since left the CIA, did not understand the system and instead of learning it, recommended that the entire system be replaced. Buckley appointed [redacted] to work with a contractor to create an entire new system. While [redacted] strongly recommended the current system be maintained, he was overruled. Today, the current case management system remains in use, however there is no instruction to newly arrived personnel and our IT staff is not trained on it. This is a waste of the start-up costs, hundreds of thousands of dollars by Buckley.

I am very, very sorry someone has to review all this detail, therefore to provide some support, I posed the following questions:

- Why has Buckley only hired external candidates to be managers in Investigations?
- Why were [redacted] really removed? (The question must be asked to these officers, and not Buckley.)
- How can Buckley remove five SIS officers in such a short period? Our entire chain of command has been removed and we have no idea why or what direction the office is heading.
- Why did Buckley hire two of the four members of his External Review Board? (Sharpley and [redacted] Were these really the best candidates? Does this cross the threshold of conflict of interest or favoritism? By appearance, it certainly does.
- Why was [redacted] without competition? He came from a very small office with a tiny criminal case load, so there were certainly better qualified candidates if an Executive Advisor was really required.
- Why is [redacted] now overseeing all investigations when he has only been at the CIA a very short time? [redacted]
- Why was [redacted] not made acting AIGI, once [redacted] was removed?
- Why was [redacted] a friend of Buckley, "promoted" to acting AIGI, though he was outranked by [redacted] and has very limited CIA experience?
- Why does Buckley treat the removed SIS officers with so little respect, in that he did not discuss their removals with them personally and now has them working in the same office, but in a downgraded position?
- Why didn't Buckley allow [redacted] to remain a Division Chief and replace the other Division Chief who will be retiring in a few months?
- Why did Buckley order a new case management system to be created and purchased while the current system is perfectly acceptable – and could be upgraded if required? Many thousands of dollars in start-up costs were wasted. [redacted] should be included in this discussion)

- Why would Buckley allow a new case management system to be purchased when thousands of dollars were spent on the current system, with upgrades paid for just last year?
- Why are so many investigators being hired, when the number of cases is not that high? A comparison of the number of cases per investigator would be telling.

Please review these allegations. Additionally, I request that an external entity come into the OIG to conduct a sensing session for all investigators. It would surely help us.

Thank you.

OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

30 July 2014

VIA ELECTRONIC MAIL

Joseph S. Campbell
Chair, Integrity Committee
Council of Inspectors General
on Integrity and Efficiency
935 Pennsylvania Ave. N.W.
Washington, DC 20535

Dear Mr. Campbell:

(U//FOUO) On 29 July 2014, the Office of the Inspector General of the Intelligence Community (IC IG) received a complaint on the IC IG hotline from a [redacted] alleging reprisal actions against the Inspector General of the Central Intelligence Agency (CIA), Mr. David B. Buckley, and the Deputy Inspector General of the CIA, Mr. Christopher Sharpley. Upon review of the relevant facts of the allegation as outlined below, we determined that our office would not be able to review [redacted] allegations against the CIA IG or Deputy IG because it is not feasible for our office to conduct the required objective review at this time. Therefore, on behalf of the IC IG, I am referring this complaint to you as Chair of the Integrity Committee, for the Council of Inspectors General on Integrity and Efficiency (CIGIE) for review and action. [redacted] consented to our releasing her name and contact information to the CIGIE Integrity Committee.

(U//FOUO) [redacted] provided the following relevant facts to this office:

- On 29 July 2014 [redacted] telephone number [redacted] who identified herself as a former employee of the CIA Office of Inspector General (OIG), contacted an IC IG Investigator and Hotline manager, through the IC IG Hotline, to file a complaint of reprisal against the CIA IG and Deputy IG.
- [redacted] alleged that the CIA IG and Deputy IG took personnel actions against her in [redacted] for protected disclosures she made alleging, among

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other things, abuse of authority, age discrimination, and a hostile work environment.

- [redacted] stated that she first raised concerns about the CIA IG and Deputy IG to Congressional staff members on the House Permanent Select Committee on Intelligence (HPSCI) and Senate Select Committee on Intelligence (SSCI) in October 2012 through a memorandum from her to the Committees alleging abuse of authority by the CIA IG and Deputy IG.

- At about the same time, the October 2012 timeframe, [redacted] stated that she made an anonymous informal complaint to the CIA Office of Equal Employment Opportunity (OEEO) alleging age discrimination and a hostile work environment within the CIA OIG. After these initial complaints in or around October 2012, [redacted] stated she frequently engaged with the following offices within the CIA: the Office of Congressional Affairs (OCA), Ombudsman, OEEO, Office of Medical Services (OMS), and Office of General Counsel (OGC) regarding her allegations against the CIA IG and Deputy IG. b6 b7C

- [redacted] stated that she drafted a second memorandum in January 2013 to the CIA Ombudsman describing her observations with regard to the work environment within the CIA OIG. [redacted] further stated that she requested that the CIA Ombudsman forward her memorandum to the CIA Director. According to [redacted] the CIA OCA also received this memorandum and received her permission to provide it to the CIA OGC. Subsequently, CIA OCA informed [redacted] that the CIA OGC provided a copy of said memorandum to the CIA OIG.

- The following month, February 2013, [redacted] stated that she filed a formal complaint of age discrimination against the CIA OIG with the CIA OEEO, [redacted] CIA OIG. [redacted] CIA OEEO investigation into [redacted] allegations were inconclusive.

- [redacted] stated that she met with Congressional staffers in April and July of 2013, presumably from HPSCI or SSCI, to discuss her various complaints about CIA OIG management.

- In April 2014, the CIA IG placed [redacted] on administrative leave after the CIA Office of Security suspended her security access. She stated that she was not informed of the reasons behind her placement on administrative leave or why her security access was suspended. However, she surmised that she was under investigation for mishandling of classified information and systems.

- In response to being placed on administrative leave and suspension of security access, [redacted] hired an attorney to represent her, however,

[redacted] stated that the CIA OGC denied her attorney's request for the necessary temporary security clearance required for representation. While on administrative leave, and before any administrative charges were brought against her, [redacted] retired from Federal service with the CIA.

(U) If you have any questions regarding this referral, please contact the IC IG Assistant Inspector General for Investigations, [redacted] at [redacted]

Sincerely,

[redacted] 30 July 2014

Deputy Inspector General,
Office of the Inspector General of the Intelligence Community

Integrity Committee

Council of the Inspectors General on Integrity and Efficiency
935 Pennsylvania Avenue, N.W., Room 3973
Washington, D.C. 20535

[redacted]

Personal and ~~Confidential~~

October 14, 2014

[redacted] b6 b7C b7E
Deputy Inspector General
Office of the Inspector General
Office of the Director of National Intelligence
Washington, DC 20511

IC Complaint re: David Buckley and Christopher Sharpley

Dear [redacted]

On July 30, 2014, you referred certain allegations including abuse of authority, age discrimination, and hostile work environment concerning Inspector General David Buckley and Deputy Inspector General Christopher Sharpley of the Central Intelligence Agency to the Integrity Committee (IC) of the Council of Inspectors General on Integrity and Efficiency (CIGIE). The IC recently reviewed these allegations and determined the information provided did not meet the IC's threshold for further consideration, and decided to close the matter.

While the IC is not able to consider this matter, section 5A of the IC's Policies and Procedures permits you to refer the matter to an "uninvolved" OIG to conduct an independent and objective investigation of the allegations.

Should you have any questions, please feel free to contact [redacted] IC Program Manager, at [redacted], or by email at [redacted] b6 b7C b7E

Thank you for your attention to this matter.

Sincerely,

Timothy Delaney
Chair
Integrity Committee

OFFICE OF THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY
WASHINGTON, DC 20511

VIA ELECTRONIC MAIL

Joseph S. Campbell
Chair, Integrity Committee
Council for the Inspector General
On Integrity and Efficiency
935 Pennsylvania Ave., NW, Room 3973
Washington, D.C. 20535

SUBJECT: Reprisal Complaint Against CIA IG Officials– ICW&SP-D-1504

Dear Mr. Campbell:

(U//~~FOUO~~) On 2 December 2014, the Office of the Inspector General of the Intelligence Community (IC IG) received a complaint on the IC IG hotline from [redacted] b3 per CIA assigned to [redacted] In his formal complaint (attached), he alleges that Mr. David B. Buckley, CIA Inspector General, Mr. Christopher Sharpley, Deputy Inspector General, [redacted] Assistant Inspector General for Investigations, and his immediate supervisor, Special Agent in Charge, [redacted] reprised against him for [redacted]

(U//~~FOUO~~) This complaint includes allegations of misconduct by covered IG personnel; therefore, we are referring this complaint to you as Chair of the Integrity Committee, for the Council of Inspectors General on Integrity and Efficiency (CIGIE) for review and action in accordance with the Inspector General Act of 1978, as amended, the Intelligence Community Whistleblower Protection Act, as amended, and Presidential Policy Directive – 19 (PPD-19), *Protecting Whistleblowers with Access to Classified Information.* [redacted] consented to our releasing his name and contact information to the CIGIE Integrity Committee.

SUBJECT: Reprisal Complaint Against CIA IG Officials– ICW&SP-D-1504

(U//~~FOUO~~) **SUMMARY OF REPRISAL COMPLAINT**: [redacted] (home telephone number [redacted] alleges that the CIA Inspector General, Deputy Inspector General, Assistant Inspector General for Investigations (AIGI), and his immediate supervisor, Special Agent in Charge, [redacted] reprised against him by [redacted] He alleges [redacted] by the CIA Inspector General, Deputy Inspector General, Assistant Inspector General for Investigations, and his immediate supervisor, Special Agent in Charge, [redacted] He states that [redacted]

b3 per CIA

(U//~~FOUO~~) Further, [redacted] states that he [redacted] (NOTE: The [redacted] met with [redacted] in [redacted] regarding the potential investigative misconduct allegations and subsequently referred these allegations to the Department of Justice for review.) Again, [redacted] states [redacted] claims that he informed his immediate supervisor, [redacted] on "several occasions" that he reported the alleged wrongdoing of the CIA IG, Deputy IG, and AIGI to the appropriate authorities.

(U//~~FOUO~~) Finally, [redacted] states that on [redacted] told him to [redacted]

SUBJECT: Reprisal Complaint Against CIA IG Officials– ICW&SP-D-1504

(U//~~FOUO~~) If you have any questions regarding this referral, please contact the IC IG Executive Director for Whistleblowing and Source Protection, [redacted] at [redacted]

[redacted]
Deputy Inspector General,
Office of the Inspector General of the
Intelligence Community

16 December 2014
Date

Attachment:

(U//~~FOUO~~) Letter, [redacted] to Mr. I. Charles McCullough III, Subj: Formal Complaint of Reprisal (Dec. 2, 2014)

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2 December 2014

Mr. I. Charles McCullough III
Inspector General of the Intelligence Community
[redacted]
Washington, D.C. 20511

SUBJECT: Formal Complaint of Reprisal

1. (U) By this letter I wish to formally file a complaint of Whistleblower Reprisal and report a violation of the Intelligence Community Whistleblower Protection Act (ICWPA) by the Central Intelligence Agency's Office of Inspector General [redacted] November 2014, [redacted] Headquarters Operations Section, Investigations Staff, Office of Inspector General, Central Intelligence Agency (CIA), contacted me via secure email and told me to report to [redacted] Upon arriving at [redacted] directed me to a conference room and we were joined by [redacted] for Intelligence and Integrity Investigations. [redacted] stated that I was being issued a Letter of Warning (LOW) for violating the Office's policy concerning accessing and searching [redacted] did not provide any proof of my having violated said policy and I denied any wrongdoing. Issuance of the LOW was a direct threat to my retention of a Top Secret security clearance and came days after I was informed by [redacted] Executive Officer for Investigations Staff, that I would not be interviewed for a vacancy I had applied to. These adverse personnel actions are a continuation and an escalation of retaliation I have endured [redacted] Senate and House Intelligence Oversight Committees, the Inspector General of the Intelligence Community, and senior CIA management.

2. (U) The LOW stated that, during a routine audit of the OIG's Case Administration and Evidence Status Reporting system, two searches associated with userid [redacted] were identified for further review. The first search presumably occurred [redacted] August 2014, and revealed that the keyword [redacted] was associated with this search. The second search reportedly occurred [redacted] October 2014 and alleges that I had searched upon my own name. The LOW does not cite which OIG policy I presumably violated or what elements of said policy were not adhered to. I am unaware of any relevant policy that would be applicable given the alleged offenses. There is OIG 21-1 (U) *Access Control for Agency Databases, Research Applications, and Information Systems Owned by Outside Components*. However, it only applies to information systems outside of the OIG. The first search I am accused of conducting was associated with my meeting with HPSCI Staffers and the

document I provided Congress had resided on an OIG owned file server and I had vetted its release through the Agency's Office of Congressional Affairs. Although I have no recollection of the second alleged search, it too was on an OIG owned information system. Therefore, I find the issuance of the LOW to be without merit and believe it was concocted in reprisal as a harassing tactic to demoralize and intimidate me.

3. (U) As background: In or about February 2013, I wrote a Letter of Urgent Concern to the oversight committees in which I raised abusive management practices, cronyism, and potential criminal conduct by David B. Buckley, Inspector General (IG) for the CIA and his subordinates. In the summer of 2013, I was interviewed by Staffers from both oversight committees. In or about May 2014, I wrote a second Letter of Urgent Concern to the committees regarding irregular personnel actions and potential reprisal against two of my colleagues that had made protected communications. In or about June 2014, I met with [redacted] b6 b7C
reported potential investigative misconduct by CIA's OIG. In early August 2014, I met with Staffers from the House Permanent Select Committee for Intelligence and provided information of potential withholding of material evidence in [redacted] case that would have exonerated seven industrial contractors that had their security clearances revoked and employment terminated. Note: I had waived "confidentiality" for each of these protected communications and on several occasions had informed [redacted] and other colleagues that I had reported wrongdoing to the appropriate authorities. Further, I had filed an age discrimination and hostile workplace complaint against CIA's OIG management team with the CIA's Office of Equal Employment Opportunity (OEEO) in April 2013 (OEEO Case Number: 13-21) that is awaiting final adjudication. OIG management was interviewed by an OEEO Investigator and was therefore witting of my complaint.

4. (U) I allege that Buckley, Christopher R. Sharpley, Deputy Inspector General (DIG), [redacted] have created a hostile work environment and empowered subordinates [redacted] to create derogatory documents that defame my reputation because I engaged in protected activities and made disclosures to Congress. I allege that [redacted] has interfered with my opportunities for career advancement in retaliation for making disclosures. In his testimony to OEEO, [redacted]—because, in his opinion, I was not qualified. However, OEEO's Report of Investigation indicated that I possessed more managerial experience than any other applicant. [redacted] was among those applicants OEEO had compared my experience level to. In or about October 2014, I applied to a vacancy notice for the position of Deputy AIGI, but was told in November 2014 that I was being denied an interview. However, [redacted] was interviewed for said vacancy. The fact an employee of lesser experience was interviewed and I was not indicates bias/reprisal. It is my perception that I have been unjustly denied opportunities for career progression. OIG management's actions affected the terms and conditions of my employment and have frustrated my efforts to perform my duties—making my job impossible in an apparent attempt to force my early separation from the Agency.

5. (U) I allege that Buckley, Sharpley, [redacted] engaged in a pattern of retaliatory conduct that has violated: b6 b7C

(U) **Pertinent Federal and Agency Regulations—**

- (U) Presidential Policy Directive 19 (PPD 19) expressly prohibits retaliation against any officer or employee of a covered agency within the IC, prohibits retaliation by affecting eligibility for access to classified information, and allows for employees who allege reprisal to request an external review by a three-member Inspector General panel if the applicable review process is exhausted. PPD 19 states in part,

  This Presidential Policy Directive ensures that employees (1) serving in the Intelligence Community or (2) who are eligible for access to classified information can effectively report waste, fraud, and abuse while protecting classified national security information. It prohibits retaliation against employees for reporting waste, fraud, and abuse.

- (U) The Intelligence Community Whistleblower Protection Act (ICWPA) of 1998 provides a secure means for employees to report matters of "urgent concern" to the intelligence committees of Congress and allegations regarding classified information. ICWPA contains no explicit mechanism for obtaining a remedy for retaliation stemming from disclosure of an urgent concern to Congress. It merely allows an IC whistleblower who has faced an adverse personnel action because he disclosed an urgent concern to the congressional intelligence committees to then use the ICWPA's disclosure procedures to inform the committees of the retaliation.

  Executive Order 12674, *Principles of Ethical Conduct for Government Officers and Employees*, specifies in part that "employees shall endeavor to avoid any actions creating the appearance that they are violating the law or ethical standards."

6. (U) The US Office of Government Ethics (OGE), *Standards of Ethical Conduct for Employees of the Executive Branch*, and Agency Regulation (AR) 13-2(j)(l), *Misuse of Position*, specify that an employee shall not use his office for the private gain of friends with whom the employee is affiliated, or to give preferential treatment to a friend. In particular,

- AR13-2, Conflict of Interest, Lack of Impartiality....Misuse of Position..., cites federal law and policy on federal ethics regulations, including conflict of interest and lack of impartiality. AR 13-2(c)(6), Standards of Official Conduct, specifies that all Agency employees must adhere to the Standards of Ethical

Conduct for Employees of the Executive Branch, which in part, governs impartiality in performing official duties and misuse of position. AR 13-2(d)(l) specifies that "Agency employees are expected to act impartially in the performance of their duties and not to give preferential treatment to any private organization or individual." In addition, AR 13-2(j)(l), Misuse of Position, specifies that an employee shall not use his office for "...the private gain of friends, relatives, or persons with whom the employee is affiliated."

7. (U) The *Standards of Ethical Conduct for Employees of the Executive Branch*, published by OGE, is codified in Title 5 C.F.R. Pertinent are:

Title 5 C.F.R. § 2635, 101, which requires that employees avoid any actions that create the appearance that they are violating the law or ethical standards for federal employees.

Title 5 C.F.R. § 2635.502 also requires employees whose duties would affect the financial interests of a friend, relative, or person with whom he is affiliated in a nongovernmental capacity to determine whether the circumstances of a matter would cause a reasonable person with knowledge of relevant fact s to question their impartiality and if so, to not participate in the matter.

Title 5 C.F.R. § 2635.701, Use of public office for private gain, specifies in part: An employee shall not use his public office for his own private gain, for the endorsement of any product, service or enterprise, or for the private gain of friends, relatives, or persons with whom the employee is affiliated in a nongovernmental capacity, including nonprofit organizations of which the employee is an officer or member, and persons with whom the employee has or seeks employment or business relations.

Title 5 C.F.R. § 2635.702(d), Performance of official duties affecting a private interest, provides: To ensure that the performance of his official duties does not give rise to an appearance of use of public office for private gain or of giving preferential treatment, an employee whose duties would affect the financial interests of a friend, relative or person with whom he is affiliated in a nongovernmental capacity shall comply with any applicable requirements of [5 C.F.R. § 2635.502].

8. (U) To the layperson these individual acts may appear to be the result of crass individuals or <u>an uncomfortable working environment</u>, but I allege the perpetrators [Buckley, Sharpley, [redacted] are highly knowledgeable of b6
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investigative techniques and have conspired to skillfully craft these harassing tactics as pretext to avoid detection. It is only when these acts are viewed in the collective that a pattern is revealed that demonstrates that Buckley and his subordinates have created a dysfunctional office environment in which managers routinely berate and belittle personnel, show contempt for the abilities of career government professionals, cause staff to fear coming to work, and engaged in acts of reprisal/retaliation for having made disclosures that afford transparency into OIG operations. I allege these adverse personnel actions were an effort by Buckley and/or his subordinates to quash further dissent by senior officers of the CIA.

(U) **PROPOSED REMEDIES—**

9. (U) Per John Brennan, Director of Central Intelligence statement to CIA employees on 18 March 2013, "You have my assurance that I and my senior leadership team will not tolerate any acts of reprisal…Harassment and discriminatory practices are incompatible with our Agency's mission and simply have no place at CIA…"

10. (U) Therefore, I seek the following resolutions and/or remedies:

- Harrassing behavior must stop!

- An examination of the matters raised here to determine the appropriateness and legality of the actions taken.

- Establish a meaningful oversight mechanism to ensure that all of the Inspector General's management practices and assignment processes are transparent and fair, free of bias and discrimination, and in accordance with laws and regulations.

(U) Punitive Remedies—

- <u>David B. Buckley, Christopher R.</u> Sharpley, [redacted] be required to attend IC Whistleblower Protection Act training and then instruct employees on the ICWPA. b6 b7C

- One Year Letter of Reprimand to be placed in the personnel file of: Buckley, Sharpley, [redacted] Each to be prohibited from receipt of Awards and Promotions for One Year.

(U) Liquidated damages—

- Any and all references to a Letter of Warning are to be expunged from Agency records and a letter on Agency letterhead to be provided to Complainant verifying their record has been expunged.

11. This Memorandum contains information protected by the Privacy Act. You should consult with the Office of General Counsel prior to further dissemination of any information to ensure compliance with the Privacy Act.

Respectfully,

[redacted] b6 b7C

Special Agent
Headquarters Operations Section
Investigations
Office of Inspector General
Central Intelligence Agency